

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Officer Delegation Scheme</p> <p>Section 9</p> <p>Director of Regeneration and Economic Development</p> <p>RED12 a)</p> <p>Page 34</p>	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>a) Applications (other than those for the discharge and variation of conditions and extensions of time not including the discharge of reserved matters) for major development as defined for the purposes of the government PS2 statistical return i.e.:</p> <ul style="list-style-type: none"> • residential development of 10 or more dwellings or, where numbers not specified, the site area is more than 0.5 hectares; • other development where the floor space is 1000 sq metres or more or the site is 1 hectare or more; and • where a major development is subject to a change of use, it will be classed as a 	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>a) Applications (other than those for the discharge and variation of conditions and extensions of time not including the discharge of reserved matters) for major development as defined for the purposes of the government PS2 statistical return i.e.:</p> <ul style="list-style-type: none"> • residential development of 10 or more dwellings or, where numbers not specified, the site area is more than 0.5 hectares; • other development where the floor space is 1000 sq metres or more or the site is 1 hectare or more; and • where a major development is subject to a change of use, it will be classed as a major development and not as a change of use. <p>and where the Authority has received an objection from any statutory consultee or</p>

		major development and not as a change of use.	representations arising from the statutory consultation.
		Reason for proposed change: The current delegation has the effect of requiring all planning applications falling within the definition of 'major' to be reported to the Planning Committee for determination, even when no objections have been received from statutory consultees and no representations have been received as a result of the statutory consultation period. This leads to a number of uncontentious planning applications having to be presented to Committee only for the Committee to approve the officer recommendation without presentation or discussion. In order to minimise officer and member time in preparing and considering reports on these applications it is proposed that the Director be authorised to determine them in future. This is consistent with the approach adopted in many neighbouring local authorities. Should the Director consider that an application should be determined by the Planning Committee the matter would be reported to the Chair of the Committee to decide.	
Implications of proposed change: <ul style="list-style-type: none">Finance and other resource implications: The proposed change to the Officer Delegation Scheme will reduce the amount of time officers and members spend in preparing and considering reports on uncontentious planning applications and will provide a more efficient and streamlined process.Legal implications:			

	<p>The Planning Committee and the Director of Regeneration and Economic Development both exercise the Authority's power to determine applications for planning permission under Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990.</p> <ul style="list-style-type: none"> • Consultation/Engagement undertaken (internal and external): The Chair of the Planning Committee, Councillor Samuel, has indicated that he agrees with the proposed change. • Human Rights implications: There are no human rights implications. • Equalities and Diversity implications: There are no equalities and diversity implications. • Risk Management implications: The risks associated with the revised delegation remain unchanged. • Crime and Disorder implications: There are no crime and disorder implications. • Environment and Sustainability implications: There are no implications in terms of the environment or sustainability.
	<p>Proposed by: Michael Robson Service Area: Governance Contact Tel. No: 643 5359</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div style="display: inline-block; border: 1px solid black; padding: 2px 10px; margin-left: 20px;">x</div>